

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEANNE DEGAN,

Plaintiff,

v.

GOLDWELL OF NEW ENGLAND,
INC. and R.G. SHAKOUR, INC.,

Defendants.

CIVIL ACTION NO. 04CV11024 RWZ

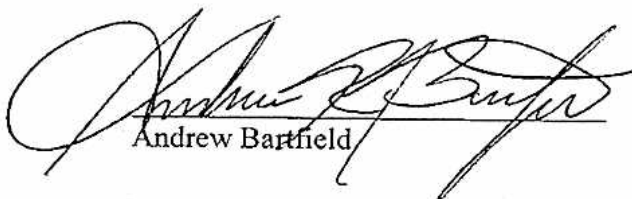
AFFIDAVIT OF
ANDREW BARTFIELD

I, Andrew Bartfield, on oath depose and state as follows:

1. I was hired by ARTec Systems Group, Inc. ("ARTec") in January 1993, and I worked as its Vice President of Education during the calendar year 2001. I have personal knowledge of the following facts.
2. In my capacity as Vice President of Education for ARTec, I was responsible for reviewing and monitoring the education performance of ARTec's New England distributors during the calendar year 2001. During that period I reviewed and monitored the performance of Goldwell of New England, Inc. ("Goldwell") and R.G. Shakour, Inc. ("Shakour").
3. During the calendar year 2001, Jeanne Degen (also known as Jeanne Hogan) was employed by Goldwell and Shakour as an ARTec Brand Manager. ARTec reimbursed Goldwell and Shakour for 50% of Ms. Degen's total salary.
4. During the Summer and Fall of 2001, sales of ARTec products by Goldwell and Shakour experienced a lack of growth. From May 2001 until November 2001 combined Goldwell and Shakour sales were far below the sales goals that had been established by ARTec.
5. In or about December 2001, Mr. Foundas informed us that Goldwell and Shakour were considering eliminating the ARTec Brand Manager position because they were concerned with the lack of growth in ARTec sales and the significant cost of employing an ARTec Brand Manager. Shortly after that, Mr. Foundas informed us that the companies had decided to eliminate the ARTec Brand Manager position.

6. Following the elimination of the ARTec Brand Manager position by Goldwell and Shakour in December 2001, ARTec did not request nor require that Goldwell or Shakour reinstate the ARTec Brand Manager position or hire anyone to perform that position. Furthermore, I am not aware of Goldwell or Shakour reinstating the position or hiring any individual to perform the ARTec Brand Manager position.

Signed under the pains and penalties of perjury this 8 day of July 2005.


Andrew Bartfield